

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED  
08 MAR 17 AM 9:43

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Lisa Marie GOMEZ

Defendant.

Magistrate Case No. **'08 MJ 0824**

DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section  
1324(a)(2)(B)(iii)-  
Bringing in Illegal Alien(s)  
Without Presentation

The undersigned complainant being duly sworn states:

On or about **March 14, 2008**, within the Southern District of California, defendant **Lisa Marie GOMEZ**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Rocio CALDERON-Canseco**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT  
Sara Esparagoza, United States Customs  
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **17TH** DAY OF  
**MARCH, 2008.**

  
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, United States Customs and Border Protection (CBP) Enforcement Officer J. Poplawski, declare under penalty of perjury the following to be true and correct:

The complainant states that **Rocio CALDERON-Canseco** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On March 14, 2008 at approximately 2053 hours Lisa Marie GOMEZ (Defendant) made application for admission into the United States at the San Ysidro, California Port of Entry as the driver and sole visible occupant of a 1995 Plymouth Voyager. A Customs and Border Protection Officer (CBP) received a negative declaration from the Defendant. Defendant presented a California identification card for an entry document. Defendant claimed ownership of the vehicle. Defendant stated she was going to Long Beach. The Officer performed an inspection of the vehicle by using a non-intrusive devise (buster) and received high density readings from the driver's side wall. The CBP officer then requested a canine unit to screen the vehicle for contraband. The Canine Officer advised the officer of a canine alert on the side wall of the vehicle. A Supervisor CBP Officer then removed the side wall panel and discovered a female lying in the compartment. The driver and the vehicle were taken into the vehicle secondary lot for further inspection.

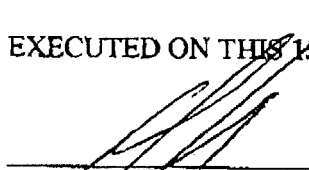
In secondary, CBP Enforcement Officers were requested to the vehicle lot. Officers assisted in opening the concealment area, removing one adult female from the compartment.

Further investigations revealed one undocumented alien to be a citizen and native of Mexico with no entitlements to enter the United States. The undocumented alien is now identified as Material Witness Rocio CALDERON-Canseco (MW).

During a videotaped proceeding, Defendant was advised of her Miranda rights and elected to submit to questioning without benefit to counsel. Defendant admitted knowledge to smuggling one female alien in the side wall compartment of the vehicle. Defendant admitted she was going back to her house in Los Angeles, Ca with the alien and the vehicle. Defendant denied making any financial gain for the smuggling act. Defendant admitted speaking to the alien prior to arriving at the Port of Entry.

On separate videotaped interview, Material Witness declared she is a citizen of Mexico who has no legal right to enter the United States. Material Witness stated she was going to San Diego, Ca to seek employment. Material Witness stated she was going to pay \$4000.00 (USD) to be smuggled into the United States.

EXECUTED ON THIS 15TH DAY OF MARCH 2008 AT 10:00 AM.

  
J. Poplawski / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of 1 page, I find probable cause to believe that the defendant named therein committed the offense on **March 14, 2008** in violation of Title 8, United States Code, Section 1324.

  
MAGISTRATE JUDGE

3/15/08 2:30pm  
DATE / TIME